



**LIST OF DECISIONS ANNOUNCED BY
THE SUPREME COURT OF ALABAMA
ON FRIDAY, SEPTEMBER 30, 2011**

Malone, C.J.

- 1100023 Alabama Psychiatric Services, P.C. v. 412 South Court Street, LLC. (Appeal from Lauderdale Circuit Court: CV-08-128).

Reversed And Remanded.

Circuit Judge, Gilbert P. Self
Aplt. Atty., Stephen B. Griffin, (205) 402-7476
Aple. Atty., Adam C. Dauro, (256) 535-0817
Aple. Atty., Kevin D. Heard, (256) 535-0817
Aple. Atty., James Q. Stanphill, Jr., (256) 764-1830

- 1100404 Ex parte Tate & Lyle Sucralose, Inc. PETITION FOR WRIT OF MANDAMUS: CIVIL (In re: William C. Anderson, Jr. v. Tate & Lyle PLC, et al.) (Washington Circuit Court: CV-08-900072).

Petition Granted In Part; Denied In Part. Writ Issued.

Circuit Judge, Gaines C. McCorquodale, (251) 275-8363
Pet. Atty., Marc E. Bradley, (251) 847-2237
Pet. Atty., Halron Waites Turner, (251) 847-2237
Resp. Atty., C. Daryl Drinkard, (251) 275-3221

Stuart, J.

- 1100557 David Vandenberg and Elizabeth Beene, individually and for a class of similarly situated persons v. Aramark Educational Services, Inc., et al. (Appeal from Jefferson Circuit Court: CV-10-902889).

Affirmed.

Circuit Judge, Robert S. Vance, Jr., (205) 325-5035
Aplt. Atty., George Daniel Evans, (205) 870-1970
Aplt. Atty., Alexandria Parrish, (205) 870-1970
Aplt. Atty., John F. Whitaker, (205) 639-5300
Aple. Atty. - Pro Hac, Thomas O. Barnett, (202) 662-5407
Aple. Atty., John Edward Goodman, (205) 521-8000
Aple. Atty. - Pro Hac, Jesse Gurman, (202) 662-5144
Aple. Atty., Norma M. Lemley, (205) 348-5490
Aple. Atty., F Chadwick Morriss, (334) 819-7318
Aple. Atty. - Pro Hac, Gregory C. Padgett, (202) 662-5404
Aple. Atty., Michael I Spearing, (205) 348-5490
Aple. Atty., Michael Walker, (205) 521-8676

1100560 Chloe Compton, Morgan Peppers, Leigh Ellen Black, individually and for a class of similarly situated persons v. Compass Group, USA, Inc., d/b/a/ Chartwells et al. (Appeal from Jefferson Circuit Court: CV-01-902891).

Affirmed.

Circuit Judge, Robert S. Vance, Jr., (205) 325-5035
Aplt. Atty., George Daniel Evans, (205) 870-1970
Aplt. Atty., Alexandria Parrish, (205) 870-1970
Aplt. Atty., John F. Whitaker, (205) 639-5300
Aple. Atty., Lee F Armstrong, (334) 844-5176
Aple. Atty., David R. Boyd, (334) 269-3132
Aple. Atty. - Pro Hac, Joshua D. Davey, (704) 343-2000
Aple. Atty. - Pro Hac, William C. Mayberry, (704) 343-2000
Aple. Atty., Bonnie Branum Monroe, (205) 254-1000
Aple. Atty., Maibeth Jernigan Porter, (205) 254-1049
Aple. Atty., Dorman Walker, (334) 269-3138

1100561 John Lane and Natalie Smith, individually and for a class of similarly situated persons v. Sodexo, Inc., et al. (Appeal from Jefferson Circuit Court: CV-10-902894).

Affirmed.

Circuit Judge, Robert S. Vance, Jr., (205) 325-5035
Aplt. Atty., George Daniel Evans, (205) 870-1970
Aplt. Atty., Alexandria Parrish, (205) 870-1970
Aplt. Atty., John F. Whitaker, (205) 639-5300
Aple. Atty., Michael J. Bell, (205) 581-0700
Aple. Atty., James W Gibson, (205) 949-6388
Aple. Atty., Enrique J. Gimenez, (205) 581-0700
Aple. Atty., J. Gorman Houston, Jr.
Aple. Atty. - Pro Hac, Hillary E. Maki, (202) 955-1872
Aple. Atty. - Pro Hac, Walfrido J. Martinez, (212) 309-1316
Aple. Atty. - Pro Hac, Ryan A. Shores, (202) 955-1521
Aple. Atty. - Pro Hac, Thomas G. Slater, Jr., (804) 788-8200
Aple. Atty., Cary Tynes Wahlheim, (205) 934-3474

Bolin, J.

1100318 Capmark Bank v. RGR, LLC et al. (Appeal from Mobile Circuit Court: CV-10-901460).

Reversed And Remanded.

Circuit Judge, Roderick P. Stout, (251) 574-8482
Aplt. Atty., Marianne Combs, (205) 250-8339
Aplt. Atty., W. Patton Hahn, (205) 250-8366
Aplt. Atty., Timothy M. Lupinacci, (205) 244-3835
Aple. Atty., Heather Guidry Hornsby, (251) 432-5300
Aple. Atty., Karen T Luce, (251) 432-5300
Aple. Atty., Robert B McGinley, Jr, (251) 432-5300
Aple. Atty., P. Russell Myles, (251) 431-8805

1100432 Timothy C. Allsopp v. James A. Bolding and Kisha Bolding (Appeal from Madison Circuit Court: CV-08-900108).

Affirmed.

Circuit Judge, Karen K. Hall, (256) 532-3455
Apl. Atty., C. Wayne Morris, (256) 539-7793
Aple. Atty., Joseph Douglas Aiello, (256) 536-0588
Aple. Atty., Gary V. Conchin, (256) 536-0588

Parker, J.

1090919 Ex parte Melvin Charles Jarrett. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Melvin Charles Jarrett v. State of Alabama) (Madison Circuit Court: CC06-1868.60; Criminal Appeals : CR-09-0066).

Reversed And Remanded.

Circuit Judge, James Peyton Smith, (256) 532-3394
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Ferris Stephens, (334) 242-7300

1091690 Ex parte Carolyn Juliano and Charles Juliano. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Willow Lake Residential Association, Inc., et al. v. Carolyn Juliano and Charles Juliano) (Jefferson Circuit Court, Bessemer Division: CV-06-952; Civil Appeals : 2081099).

Writ Denied. No Opinion.

Circuit Judge, Dan C. King, III, (205) 481-4175
Pet. Atty., Michael R. Lunsford, (205) 980-5000
Resp. Atty., Aaron Douglas Ashcraft, (205) 967-8822
Resp. Atty., Scott Ashley Boykin, (205) 458-5138
Resp. Atty., James C. Gray, III, (205) 967-8822
Resp. Atty., Carol H Stewart, (205) 458-5219

1101353 Ex parte Benjamin Howlet. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Benjamin Howlet v. State of Alabama) (Colbert Circuit Court: CC-97-313.61; Criminal Appeals : CR-10-1031).

Writ Denied. No Opinion.

Circuit Judge, Harold V. Hughston, Jr., (256) 386-8526
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, Laura I. Cuthbert, (334) 353-9782

1101369 Ex parte Wyman Carmon Radford. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Wyman Carmon Radford v. State of Alabama) (Winston Circuit Court: CC-09-301; Criminal Appeals : CR-10-0544).

Writ Denied. No Opinion.

Circuit Judge, Lee Carter, (205) 489-2400
Pet. Atty., Kathryn Annette King, (256) 734-0400
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Atty. General, John McGavock Porter, (334) 242-7300

1101421 Ex parte Eli Crawford IV. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CRIMINAL APPEALS (In re: Eli Crawford IV v. Alabama Department of Corrections) (Montgomery Circuit Court: CV-10-1483; Criminal Appeals : CR-10-0951).

Writ Denied. No Opinion.

Circuit Judge, Johnny Hardwick, (334) 832-1380
Resp. Atty. General, Luther Strange, (334) 242-7447
Resp. Asst. Gen. Counsel, Bart Gregory Harmon, (334) 353-3881

Main, J.

1091505 Sycamore Management Group, LLC and DirecPath, LLC v. Coosa Cable Company, Inc. (Appeal from St. Clair Circuit Court: CV-08-363).

Reversed And Remanded.

Circuit Judge, Charles E. Robinson, (205) 594-2187
Apl. Atty., Ed R. Haden, (205) 226-8795
Apl. Atty., Eric Brandon Langley, (205) 226-8772
Apl. Atty., Neah Lynn Mitchell, (334) 269-3139
Apl. Atty., Riley W. Roby, (334) 269-3120
Aple. Atty., James Fredrick Barger, Jr, (205) 933-4006
Aple. Atty., Henry I Frohsin, (205) 933-4006
Aple. Atty., James Elliott Walthall, (205) 933-4006

1100596 Walter George Austin and Charlene Austin v. State Farm Mutual Automobile Insurance Company (Appeal from Madison Circuit Court: CV-05-1511.80).

Affirmed. No Opinion. (Special Writing)

Circuit Judge, James Peyton Smith, (256) 532-3394
Apl. Atty., Robert Carl Gammons, (256) 533-7711
Apl. Atty., Joshua Byron White, (256) 533-7711
Aple. Atty., Kori L. Clement, (205) 322-3040
Aple. Atty., Kellie Payne Esposito, (205) 970-5995
Aple. Atty., Ronald Gault, (205) 987-6935
Aple. Atty., Ellen M. Melson, (256) 533-0202

Wise, J.

1101088 Ex parte Sustainable Forests, LLC. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: Sustainable Forests, LLC v. Alabama Department of Revenue) (Montgomery Circuit Court: CV-09-1963; Civil Appeals : 2091149).

Writ Denied. No Opinion.

Circuit Judge, Eugene W. Reese, (334) 832-1360
Pet. Atty., Roy J. Crawford, (205) 716-5293
Pet. Atty., Brian G. Wilson, (205) 716-5273
Resp. Atty., Warren William Young, (334) 242-9776

1101430 Ex parte M.J.H. PETITION FOR WRIT OF CERTIORARI TO THE COURT OF CIVIL APPEALS (In re: M.J.H. v. V.C. and S.C.) (Henry Juvenile Court: JU-09-46.02; Civil Appeals : 2100521).

Writ Denied. No Opinion.

PER CURIAM

1091075 Jo Ann Hood v. Elizabeth McElroy, as personal representative of the estate of Austin Taylor Terry, deceased (Appeal from Jefferson Circuit Court, Bessemer Division: CV-03-565).

Reversed And Remanded.

Circuit Judge, Eugene R. Verin, (205) 497-8570
Apl. Atty. General, Luther Strange, (334) 242-7447
Apl. Asst. Atty. General, Sharon E. Ficquette, (334) 242-9330
Apl. Atty., William M. Dawson, (205) 323-6170
Apl. Atty., Stephen Cochran Wallace, (205) 323-6170
Aple. Atty., Rhonda Pitts Chambers, (205) 558-2800
Aple. Atty., Leah Oldacre Taylor, (205) 558-2800

1100160 Turquoise Properties Gulf, Inc. v. Hugh Overmyer et al. (Appeal from Baldwin Circuit Court: CV-10-901242).

Reversed And Remanded.

Circuit Judge, Charles C. Partin, (251) 937-0273
Apl. Atty., Daniel G. Blackburn, (251) 937-1750
Apl. Atty., Rebecca Ann Gaines, (251) 937-1750
Apl. Atty., Mark Taupeka, (251) 937-1750
Aple. Atty., Adam Matthew Milam, (251) 928-0191
Aple. Atty., Shelley H. Milam, (251) 928-0191

ON REHEARING

1091522 Cindy Zine Rutherford v. Alabama State Bar (Appeal from 07-2010).

Application Overruled. No Opinion.

Aple. Asst. Gen. Counsel, Samuel S. Partridge, (334) 269-1515
Aple. Atty., James Anthony McLain, (334) 269-1515